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PTO SB/21 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/720,525
	Filing Date	12/20/2000
	First Named Inventor	Jochen Dietrich et al
	Group Art Unit	-
	Examiner Name	-
Total Number of Pages in This Submission	Attorney Docket Number 435808600002	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	H. Duane Switzer
Signature	<i>H. Duane Switzer</i>
Date	March 12, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 03/12/2001			
Typed or printed name	H. Duane Switzer		
Signature	<i>H. Duane Switzer</i>	Date	03/12/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

1001 1 2001

PTO SB 17 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

Complete if Known

Application Number	09/720,525
Filing Date	12/20/2000
First Named Inventor	Jochen Dietrich et al
Examiner Name	-
Group Art Unit	-
Attorney Docket No.	435808600002

TOTAL AMOUNT OF PAYMENT (\$ 160.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to
- Deposit Account Number 501432
- Deposit Account Name Jones, Day, Reavis & Pogue
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims 29 Extra Claims 28 Fee from below 18 Fee Paid -0-

Independent Claims 5 Fee from below 80 Fee Paid 160

Multiple Dependent Claims Fee from below Fee Paid

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$160.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
105 130	215 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	222 130	Petitions to the Commissioner	
123 50	223 50	Processing fee under 37 CFR 1.17(q)	
126 180	226 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print Type)	H. Duane Switzer	Registration No. (Attorney Agent)	22,431	Complete if applicable
Signature	<i>H. Duane Switzer</i>	Telephone	216-586-7283	Date
				03/12/2001

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MAR 1 2 2001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jochen Dietrich et al
 Serial No. : 09 720,525
 Filed : December 20, 2000
 Title : GAS-TIGHT FOOD PACKAGE AND A
 METHOD DEVICE AND TRAY FOR
 PRODUCING IT
 Attorney Docket No. : 435808600002

**PRELIMINARY AMENDMENT PRIOR
 TO CALCULATION OF THE FILING FEE**

Commissioner for Patents
 Washington, D. C. 20231

Sir:

Prior to calculation of the filing fee, please amend this application as follows:

In the Claims:

Please cancel claims ~~1-32~~.

Please insert claims ~~33~~-61 as follows:

~~33~~ (New) A food package comprising: a tray having a peripheral side wall,
 an inner cavity and an inner surface; an annular collar bonded to said side wall in outwardly-

Label No. EK522728324US

Date of Deposit MARCH 12, 2001

I hereby certify that this paper or fees is
 being deposited with the United States Postal
 Service "Express Mail Post Office to Addressee"
 service under 37 CFR 1.10 on the date indicated
 above and is addressed to: Assistant Commissioner
 for Patents, Washington, D.C.

H. Duane Swift